

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Elaine J. Duffy, Deputy Clerk.

F035433 In re Alyssa H., a Minor

Cause called and argued by Lynne McGinnis, Esq., counsel for appellant and by Susan M. Gill, Deputy County Counsel, counsel for respondent.

Cause ordered submitted.

Court recessed until Wednesday, November 15, 2000 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Diana Monopoli, Deputy Clerk.

F032030 People v. Cruz

Parties stipulate that (1) Ardaiz, P.J., the absent assigned justice, participate in the determination of this appeal, and (2) Ardaiz, P.J. to listen to the tape recording of oral proceedings upon his return.

Cause called and argued by Kathryn E. Collier, Esq., counsel for appellant. Robert P. Whitlock, Deputy Attorney General, counsel for respondent waived oral argument.

Submission deferred until Wednesday, December 6, 2000 for Ardaiz, P.J. to listen to the tape recording of oral argument.

F031432 Byfield v. Memorial Health Systems, Inc.

Parties stipulate that (1) Ardaiz, P.J., the absent assigned justice, participate in the determination of this appeal, and (2) Ardaiz, P.J. to listen to the tape recording of oral proceedings upon his return.

Cause called and argued by Randall Sherman, Esq., counsel for appellant and by David r. Gabor, Esq., counsel for respondent.

Submission deferred until Wednesday, December 6, 2000 for Ardaiz, P.J. to listen to the tape recording of oral argument.

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Court recessed until Thursday, November 16, 2000 at 1:30 P.M.

F032861 **People v. Thomas**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F033830 **People v. Lara**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030549 **People v. Simpson**
F033439 **In re Robert Arnold Simpson on Habeas Corpus**
Appellant's petition for rehearing filed herein is denied.

F031801 **People v. Tapia**
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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F032843 Lyons v. Bergeron, D.D.S.

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F036323 Waller et al. v. Shabazz

No brief having been filed by appellant after notice duly given under rule 17(a) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F033480 People v. Cooper

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F033976 People v. Silveira

The order denying defendant's motion to vacate judgment is reversed. The matter is remanded for further proceedings consistent with the views expressed in the opinion.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]